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J1057 U.S. PTO

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: UTSK:348US/MBW

Prior Application Examiner:  
N/AClassification Designation:  
Unknown

Prior Group Art Unit: N/A

jc978 U.S. PTO  
09/877794  
06/08/01BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## EXPRESS MAIL MAILING LABEL

NUMBER EL780053940US

DATE OF DEPOSIT June 8, 2001

**REQUEST FOR FILING A CONTINUATION OF AN INTERNATIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation under 37 C.F.R. §1.53(b) of pending prior international application number PCT/US99/28206 filed on 29 November 1999, entitled "METHODS FOR DETECTION OF ANTIESTROGEN-RESISTANT BREAST CANCER," which designated the United States.

- ☒ 1. Enclosed is a copy of prior application PCT/US99/28206 as originally filed, including specification and claims. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code,

and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior application PCT/US99/28206.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number \_\_\_\_\_, filed in \_\_\_\_\_ is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ will follow.

☒ 2. Enclosed is a check in the amount of **\$644.00** to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 7 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED/ADDED IN PRELIMINARY AMENDMENT

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$355.00
Total Claims	21 - 20 =	1 X	\$9.00 =	\$9.00
Independent Claims	10 - 3 =	7 X	\$40.00 =	\$280.00
Multiple Dependent Claim(s) -----				\$-0-.00
Assignment Recording Fee: (\$40.00 per assignee)				\$0.00
<b>TOTAL FILING FEES:</b>				<b>\$644.00</b>

☒ 3. The Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

☒ 4. Applicant is entitled to Small Entity Status for this application.

☒ 5. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Fulbright & Jaworski Deposit Account No. 50-1212/10019016/MBW.

☐ 6. Enclosed is a current Power of Attorney.

☐ 7. Enclosed is an Inventor declaration.

☒ 8. Address all future communications to:

Mark B. Wilson  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.3035

☒ 9. The application is/will be assigned to BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM, Austin, Texas. The assignment:

☐ is enclosed.

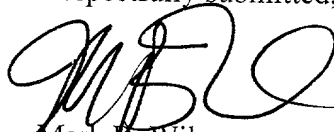
☒ will follow.

☒ 10. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 2 above and said fee has been

calculated after calculation of claims and after amendment of claims by the preliminary amendment.

- ☐ 11. Cancel in this application claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☐ 12. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending international application filed --.
- ☒ 13. Enclosed are formal drawings (FIGs. 1A-1C, 2A, 2B, 3-9 on 7 sheets).
- ☐ 14. An Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☒ 15. Other: Publication of International Application No. PCT/US99/28206 (WO 00/34788); PCT Request; PCT Forms IB/301, IB/304, IB/308; International Preliminary Examination Report.
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicant

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Date: June 8, 2001